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5  
6 Counsel for Defendant CRUZ  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR 11-00966 MMC
	)	
12 Plaintiff,	)	<b>STIPULATION AND PROPOSED</b>
	)	<b>ORDER FOR CONTINUANCE OF</b>
13 v.	)	<b>SENTENCING DATE; ORDER THEREON</b>
	)	
14 PEDRO HUMBERTO CRUZ,	)	Date: April 25, 2012
	)	Time: 2:15 p.m.
15 Defendant.	)	Court: The Honorable Maxine M. Chesney
	)	

16  
17 The parties hereby stipulate and agree as follows:

- 18 1. Defendant Pedro Humberto Cruz respectfully requests from the Court a  
19 continuance of his sentencing date;
- 20 2. The reasons for the request is for defense counsel to obtain a signature and  
21 approval on a drafted declaration from the defendant's half brother, Adan Lobo.  
22 Mr. Lobo has been interviewed with a Spanish speaking interpreter and a  
23 substantive declaration has been prepared in support of the defendant's  
24 sentencing. Over the last four days, defense counsel has had trouble finding a  
25 mutual time in which Mr. Lobo can review and sign the declaration, due to Mr.  
26 Lobo's work schedule, transportation issues, and defense counsel's unavailability

1 this upcoming weekend. Sentencing memoranda had been due to this Court on  
2 April 20, 2012;

3 3. Defense counsel now has an appointment to meet Mr. Lobo at his home  
4 tomorrow, April 24, 2012. She thus requests a continuance of the sentencing to  
5 May 9, 2012 at 2:15 p.m., so defense counsel can present all mitigating evidence  
6 to the Court in a timely manner;

7 4. The Probation Officer, Brian Casai, has been contacted about the change in  
8 sentencing date, and has no objection to a sentencing date of May 9, 2012;

9 5. The United States Attorney's Office has no objection to a continuance of the  
10 sentencing date to May 9, 2012 at 2:15 p.m.;

11  
12 Dated: April 23, 2012

13 \_\_\_\_\_/S/  
14 ELIZABETH M. FALK  
Assistant Federal Public Defender

15 \_\_\_\_\_/S/  
16 LOWELL POWELL  
Special Assistant United States Attorney

17  
18 ~~[PROPOSED]~~ ORDER

19 For the reasons stated in the stipulation filed herewith, the sentencing of defendant ~~Ricky~~  
20 ~~Hawkins~~ Pedro Humberto Cruz is hereby continued to May 9, 2012 at 2:15 p.m.

21 IT IS SO ORDERED

22 Dated: April 24 2012

23   
24 THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE